



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of: **Delurgio et al.**

Serial No. : 09/849,621

Art Unit: **Technology Center 2100**

Filed: May 5, 2001

Examiner: Unknown

For: **Apparatus for Merchandise Promotion Optimization**

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Box: Patent Application  
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Dear Sirs:

I hereby certify that this paper, and the enclosed Information Disclosure Statement form -- list of documents and six (6) cited documents are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Box: PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

**INFORMATION DISCLOSURE STATEMENT FILED****UNDER 37 C.F.R. §§ 1.56 AND 1.97(b)**

Pursuant to 37 C.F.R. § 1.56, Applicants bring the following documents to the Examiner's attention in the referenced application.

1. "Report of Novelty Search" by Patentec, dated July 25, 2001.
2. U.S. Patent Number 6,205,431 to T. Willemain et al. entitled "SYSTEM AND METHOD FOR FORECASTING INTERMITTENT DEMAND."

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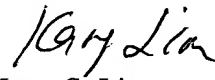
3. U.S. Patent Number 5,459,656 to R. Fields et al. entitled "BUSINESS METHOD PROJECTION SYSTEM AND METHOD."
4. U.S. Patent Number 5,299,115 to R. Fields et al. entitled "PRODUCT DEMAND SYSTEM AND METHOD."
5. U.S. Patent Number 5,799,286 to J. Morgan et al. entitled "AUTOMATED ACTIVITY-BASED MANAGEMENT SYSTEM."
6. U.S. Patent Number 5,732,401 to D. Conway entitled "ACTIVITY BASED COST TRACKING SYSTEMS."

Citation of the above documents shall not be construed as an admission that the documents are necessarily prior art with respect to the referenced application. Furthermore, citation of the above documents shall not be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Applicants believe this paper is submitted before the mailing date of a first office action of the referenced patent application in accordance with 37 C.F.R. § 1.97(b); therefore, no fee is believed to be required.

If the Examiner has any questions or comments with respect to the present application, the Examiner is respectfully invited to telephone the undersigned at (925) 570 8198.

Respectfully submitted,



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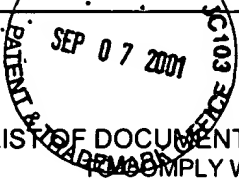
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 <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p>LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56</p>	ATTY. DOCKET NO. DT0102	SERIAL NO. 09/849,621
	APPLICANT Delurgio et al.	
	FILING DATE 05/05/01	GROUP Unassigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,205,431	03/20/01	Willemain et al.	705	10	
	AB	5,459,656	10/17/95	Fields et al.	364	401	
	AC	5,299,115	03/29/94	Fields et al.	364	401	
	AD	5,799,286	08/25/98	Morgan et al.	705	30	
	AE	5,732,401	03/24/98	Conway	705	29	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AI		"Report of Novelty Search" by Patentec, dated July 25, 2001

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.